

REMARKS

Claims 43-48 and 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Schulman et al. (US 6,208,894). Schulman discloses an external system control unit for wireless communication with several devices implanted in a patient's body to receive data signals from implanted devices and remotely configure the operation of implanted devices. Schulman contemplates a closed loop mode wherein the system control unit periodically interrogates a sensor and adjusts the commands transmitted to a stimulator based on the sensor data.

However, absent in Schulman is a medical system wherein first and second IMDs are operatively associated for cooperative interaction, and wherein the second IMD of the medical system is configured for that cooperative interaction based upon a data set stored in the first IMD. Nowhere does Schulman describe an operation wherein there is a cooperative interaction between IMDs. In Schulman, there is only a dependent cooperation wherein the second IMD, which operates autonomously, is configured based upon a data set obtained by the system control unit from the first IMD. The sensors and stimulators independently operate; they do not cooperatively interact to provide the initial operation of the medical system.

Claims 49-51 were rejected under 35 U.S.C. 103(a) as being obvious over Schulman. The rejection is premised on Schulman providing all the limitations of claim 43. As discussed above, Schulman fails to do that. Accordingly, claims 49-51 cannot be rendered obvious from Schulman.

The rejection of claim 50 under 35 U.S.C. 112, as being vague and indefinite, has been overcome by specifying that a third IMD of the medical system is configured based upon the operating parameters of the second IMD of the medical system.

Applicant respectfully submits that the claims are in proper form and condition for allowance, and requests that a notice of allowance issue in due course.

Respectfully submitted,

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Date

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